

REMARKS

Claims 11-20 have been examined. Claims 11 and 16 have been rejected under 35 U.S.C. § 102(e) and claims 11-20 have been rejected under 35 U.S.C. § 103(a).

I. Rejections under 35 U.S.C. § 102(e) in view of U.S. Patent No. 6,075,616 to Nishi ("Nishi")

The Examiner has rejected claims 11 and 16 under 35 U.S.C. § 102(e) as allegedly being anticipated by Nishi.

A. Claim 11

Applicant submits that claim 11 is patentable over the cited reference. For example, claim 11 recites, "wherein said job request section sends said job request to said host computer, according to a condition of said print engine and said receive buffer memory, when said printing section prints said job data."

The Examiner maintains that Nishi discloses the features of claim 11. In particular, the Examiner refers to items 12 and 15 of Figure 4 of Nishi and maintains that job requests are sent to a host computer according to a condition of a print engine and a receive buffer memory. As set forth in column 6, lines 44-51 of Nishi, if the receiving buffer 130 is full, a wait signal, indicating the busy state, is output to the host computer. On the other hand, if the receiving buffer 130 is not full, even after storing of data, a ready signal (alleged job request of claim 11), indicating that the printer can receive the print data DO, is output. Accordingly, in Nishi, the ready signal (alleged job request) is sent to the host computer when the receiving buffer 130 is not in a full state, whereas, in claim 11, the job request is sent to the host computer, according to

a condition of the print engine and the receive buffer memory, when the printing section executes each print job (i.e., “prints said job data”).

At least based on the foregoing, Applicant submits that claim 11 is patentable over the Nishi reference.

B. Claim 16

Since claim 16 contains features that are analogous to the features recited in claim 1, Applicant submits that claim 16 is patentable for at least analogous reasons as claim 1.

II. Rejections under 35 U.S.C. § 103(a) in view of U.S. Patent No. 6,184,996 to Gase (“Gase”) and Nishi

The Examiner has rejected claims 11-13 and 16-18 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Gase in view of Nishi.

A. Claims 11 and 16

Applicant submits that claims 11 and 16 are patentable over the cited references. For example, the Examiner acknowledges that Gase does not disclose that a job request section sends a job request to a host computer, according to a condition of a print engine and a receive buffer memory, but contends that Nishi does. However, for the reasons set forth above, Applicant submits that Nishi fails to cure the deficient teachings of Gase.

Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of claims 11 and 16.

Amendment under 37 C.F.R. § 1.111
U.S. Application No. 09/353,383

B. Claims 12, 13, 17 and 18

Since claims 12, 13, 17 and 18 are dependent upon one of claims 11 or 16, Applicant submits that such claims are patentable at least by virtue of their dependency.

III. Rejections under 35 U.S.C. § 103(a) in view of Gase, Nishi and column 1, lines 48-60 of Gase ("Pipeline Corporation")

The Examiner has rejected claims 14, 15, 19 and 20 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Gase, Nishi and Pipeline Corporation. However, since claims 14, 15, 19 and 20 are dependent upon one of claims 11 or 16, and Pipeline Corporation fails to cure the deficient teachings of Gase and Nishi, in regard to claims 11 and 16, Applicant submits that such claims are patentable at least by virtue of their dependency.

IV. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any

Amendment under 37 C.F.R. § 1.111
U.S. Application No. 09/353,383

overpayments to said Deposit Account.

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: November 9, 2006

Respectfully submitted,



Allison M. Tulino
Registration No. 48,294